

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
FAYETTEVILLE DIVISION

IN RE:

CASE NO.

BRANDY STAR MANUEL

05-02812-8-ATS

DEBTOR

ORDER ALLOWING MOTION FOR RELIEF FROM STAY

The matter before the court is the motion for relief from the automatic stay filed by Jesse Lemons, Donald Schiller, and Trudy Locklear Schiller. A hearing took place on June 1, 2005, in Raleigh, North Carolina.

Brandy Star Manuel filed a petition for relief under chapter 13 of the Bankruptcy Code on April 7, 2005. Mr. Lemons, Mr. Schiller and Ms. Schiller seek relief from the stay to evict the debtor from their property. The landlords contend that Ms. Manuel's mother is responsible for the rent arrearage, and they are not seeking to recover any money from Ms. Manuel. Ms. Manuel did not appear at the hearing.

The motion will be **ALLOWED** for Mr. Lemons and Mr. and Ms. Schiller to pursue their remedies in state court.

SO ORDERED.

DATED: June 2, 2005

  
A. Thomas Small  
United States Bankruptcy Judge